

Message Text

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ACTION EA-12

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SUBJECT: INFORMATION ON LABOR STANDARDS

REF: A) STATE 136706; B) SINGAPORE A-69; C) 76 SINGAPORE A-73

1. INTRODUCTION AND SUMMARY: SINGAPORE LABOR LEGISLATION APPLIES EQUALLY TO ALL INDUSTRIES. SINGAPORE INDUSTRY IS HEAVILY EXPORT ORIENTED, WITH ESTIMATED SIXTY PERCENT OF INDUSTRIAL PRODUCTION EXPORTED. LABOR STANDARDS, ALTHOUGH LESS RESTRICTIVE THAN US REGULATIONS, APPEAR TO BE FULLY ENFORCED.

2. THERE IS NO SLAVERY, INDENTURED, OR OTHER FORCED LABOR IN ANY INDUSTRY IN SINGAPORE. 1968 EMPLOYMENT ACT (INCLUDING AMENDMENTS) INCLUDES FOLLOWING PROVISIONS:
ANY CONTRACT OF SERVICE WHICH PROVIDES CONDITIONS LESS FAVORABLE THAN THOSE PRESCRIBED IN ACT IS ILLEGAL, NULL AND VOID; GUARANTEED RIGHT TO JOIN AND PARTICIPATE IN ACTIVITIES OF REGISTERED TRADE UNION; PAYMENT OF SALARY IN LEGAL TENDER, AND LIMITATION ON NATURE AND AMOUNT OF DEDUCTIONS (WHICH MAY NOT EXCEED FIFTY PERCENT OF SALARY); HOURS OF WORK MAY NOT EXCEED EIGHT HOURS IN ONE DAY OR MORE THAN FORTY-FOUR HOURS IN ONE WEEK, AND EACH EMPLOYEE MUST HAVE ONE WHOLE DAY (OR CON-

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TINUOUS THIRTY-HOUR PERIOD) AS REST DAY EACH WEEK, EXCEPT IN SPECIFIED EXTRAORDINARY CIRCUMSTANCES, INCLUDING WORK ESSENTIAL FOR DEFENSE OR SECURITY OR WORK IN AN INDUSTRIAL UNDERTAKING ESSENTIAL TO THE ECONOMY OF SINGAPORE; FINE UP TO FIVE HUNDRED SINGAPORE DOLLARS AND/OR UP TO SIX MONTHS IMPRISONMENT FOR AN EMPLOYER WHO WITHOUT REASONABLE EXCUSE REFUSES TO ALLOW AN EMPLOYEE TO RESIGN.

3. CHILD LABOR IS REGULATED BY 1968 EMPLOYMENT ACT, PART VIII, AND 1976 REGULATIONS ON EMPLOYMENT OF CHILDREN AND YOUNG PERSONS. PROVISIONS INCLUDE: NO CHILD BELOW AGE OF TWELVE MAY BE EMPLOYED IN ANY OCCUPATION; NO CHILD (AGES TWELVE TO FOURTEEN) OR YOUNG PERSON (AGES FOURTEEN TO SIXTEEN) MAY BE EMPLOYED IN ANY OCCUPATION OR IN ANY PLACE OR UNDER WORKING CONDITIONS INJURIOUS OR LIKELY TO BE INJURIOUS TO THE HEALTH OF THAT CHILD OR YOUNG PERSON, INCLUDING PROXIMITY TO LIVE ELECTRICAL APPARATUS NOT EFFECTIVELY INSULATED; WRITTEN PERMISSION OF COMMISSIONER OF LABOR REQUIRED FOR EMPLOYMENT OF ANY CHILD IN INDUSTRIAL UNDERTAKING OR IN ATTENDANCE ON MOVING MACHINERY EXCEPT UNDER APPROVED APPRENTICESHIP SCHEMES; CHILDREN AND YOUNG PERSONS MAY NOT BE EMPLOYED AT NIGHT, OR FOR MORE THAN SIX AND SEVEN HOURS RESPECTIVELY PER DAY, INCLUDING TIME IN ATTENDANCE AT SCHOOL.

4. BULK OF 1973 FACTORIES ACT CONCERNS HEALTH, SAFETY AND WELFARE; INCLUDES REQUIREMENT FOR ADEQUATE VENTILATION OR PROVISION OF BREATHING APPARATUS "TO PROTECT PERSONS EMPLOYED AGAINST INHALATION OF DUST, FUMES OR OTHER IMPURITIES;" PROVISION OF PROTECTIVE CLOTHING AND COVERINGS; CONTROL OF POISONOUS SUBSTANCES AND NOTICES WARNING OF DANGER INVOLVED. WHERE THERE IS RISK OF INJURY TO HEALTH, MINISTER OF LABOR MAY MAKE REGULATIONS CONCERNING CONDITIONS OF EMPLOYMENT AND MAY REQUIRE MEDICAL EXAMINATION AND SUPERVISION. LATTER PROVISION SPECI-

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FICALLY APPLIES TO "OCCUPATIONS INVOLVING SPECIAL RISK TO HEALTH" WHICH INCLUDE HANDLING OF OUR EXPOSURE TO "SILICA, ASBESTOS, RAW COTTON DUST, LEAD, MERCURY, ARSENIC, PHOSPHORUS, CARBON BISULPHIDE, BENZENE, ORGANIC-PHOSPHATE, NITROUS FUMES, CADMIUM, BERYLLIUM." ONLY REGULATIONS ISSUED TO DATE ARE 1974 POISONS (BENZENE) RULES WHICH REQUIRE LICENSING OF EMPLOYERS WHO USE BENZENE IN WORK PROCESS, ANNUAL MEDICAL EXAMINATIONS FOR PERSONS EXPOSED TO BENZENE IN THEIR WORK, PROVISION OF "ADEQUATE MEANS OF PROTECTION AGAINST ABSORPTION OF BENZENE BY SKIN," AND "PROTECTION AGAINST INHALATION OF BENZENE VAPOUR."

5. GOVERNMENT INFLUENCE AND CONTROL OVER LABOR MOVEMENT IS BASED PRIMARILY ON CLOSE WORKING RELATIONSHIP AND OVERLAPPING MEMBERSHIP OF NATIONAL TRADES UNION CONGRESS AND RULING PEOPLE'S ACTION PARTY. AS DESCRIBED IN PREVIOUS ANNUAL LABOR REPORTS, LABOR MATTERS ARE HANDLED ON TRIPARTITE LABOR-MANAGEMENT-GOVERNMENT BASIS. RIGHT OF WORKERS TO JOIN UNION IS GUARANTEED IN EMPLOYMENT ACT; UNIONS MUST REGISTER WITH MINISTRY OF LABOR; STRIKES MAY BE CALLED ONLY AFTER CONSENT BY MAJORITY OF UNION MEMBERS IN SECRET BALLOT. STRIKES ARE ILLEGAL IF: THEY HAVE "ANY OTHER OBJECT THAN THE FURTHERANCE OF A TRADE DISPUTE WITHIN THE TRADE OR INDUSTRY IN WHICH THE STRIKERS ARE ENGAGED;"

THEY ARE "IN FURTHERANCE OF A TRADE DISPUTE OF WHICH AN INDUSTRIAL ARBITRATION COURT HAS COGNIZANCE;" OR THEY ARE "DESIGNED OR CALCULATED TO COERCE THE GOVERNMENT EITHER DIRECTLY OR BY INFLICTING HARDSHIP ON THE COMMUNITY." COLLECTIVE BARGAINING IS PROVIDED FOR, ALTHOUGH INDUSTRIAL RELATIONS ACT PROVIDES THAT EITHER MINISTER OF LABOR OR PRESIDENT OF SINGAPORE MAY DIRECT THAT A TRADE DISPUTE BE SUBMITTED TO ARBITRATION. A NATIONAL WAGES COUNCIL MAKES ANNUAL RECOMMENDATIONS ON WAGE INCREASES; FULL DETAILS ARE PROVIDED IN PAST ANNUAL LABOR REPORTS (AND IN REFERENCE C).

6. EXISTENCE OF DISCIPLINED AND RELATIVELY LOW-COST LABOR FORCE HAS BEEN ONE OF SINGAPORE'S ATTRACTIONS TO FOREIGN INVESTORS. HOWEVER, GOVERNMENT INCENTIVES TO INVESTORS HAVE BEEN LIMITED OFFICIAL USE

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MORE IN TAX FIELD. ALTHOUGH LABOR LEGISLATION APPLIES TO ALL SINGAPORE INDUSTRY, MOST OF WHICH IS PRODUCTION FOR EXPORT, LAW AND REGULATIONS DO PROVIDE LOOPHOLES FOR SPECIAL AUTHORIZATIONS. TO EMBASSY'S KNOWLEDGE, HOWEVER, SUCH LOOPHOLES HAVE NOT BEEN USED TO GIVE ADVANTAGE TO EXPORTERS AT EXPENSE OF SINGAPORE WORKERS. INDUSTRIAL WORKERS IN SINGAPORE ARE IN SUFFICIENTLY SHORT SUPPLY THAT GOVERNMENT IS ALREADY HAVING A DIFFICULT TIME BALANCING PRESSURE FOR HIGHER WAGES AGAINST DESIRE TO REMAIN COMPETITIVE WITH OTHER LOW-WAGE ASIAN PRODUCERS.
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